



Rhode Island State Labor Relations Board

1511 Pontiac Avenue
Building 73, 2nd floor
Cranston, Rhode Island 02920-4407
Website: www.rislrp.ri.gov

OPEN MINUTES BOARD MEETING

TIME: 9:00 A.M.
DATE: Tuesday, June 25, 2019
PLACE: 1511 Pontiac Ave., Building #73, 3rd Floor, Cranston, RI 02920

BOARD MEMBERS IN ATTENDANCE: Walter J. Lanni
Marcia B. Reback
Scott G. Duhamel
Aronda R. Kirby
Kenneth B. Chiavarini
Derek M. Silva

MEMBERS ABSENT: Alberto Aponte Cardona

OTHERS PRESENT: Robyn H. Golden, Administrator
Lisa L. Ribezzo, Agent of the Board

Chairman Lanni called the meeting to order in Open Session at 9:05 A.M.

All Board Members reviewed the Open Minutes of the May 9, 2019 Board Meeting. A Motion was made by Scott G. Duhamel and seconded by Aronda R. Kirby to accept the Open Minutes as written, and it was

VOTED: by all Board Members present to accept the minutes as written. Motion passed.

CONSENT AGREEMENT & AFFIDAVIT MATTERS:

1. Case EE-3704
State of Rhode Island – Department of Environmental Management & Local 400, IFPTE
**(Accretion – Chief Implementation Aide; Implementation Aide; Office Manager;
Programming Services Officer)**

After review of the Consent Agreement and Affidavit executed and presented by the parties, a Motion was made by Scott G. Duhamel and seconded by Aronda R. Kirby to acknowledge and accept the parties' signed Consent Agreement and Affidavit. Accordingly, the position(s) of **Chief Implementation Aide, Implementation Aide, Office Manager, and Programming Services Officer** shall be accreted into the bargaining unit as defined in Certification of Representatives - Case No. EE-3704. After discussion, all Board Members present voted in favor of the Motion. Motion passed.



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CONCLUDED CASES:

1. Case No. ULP- 6234
RI Council on Post-Secondary Education & URI Chapter, American Association of University Professors / URI / AAUP

After review of the above-entitled matter, a Motion was made by Marcia B. Reback and seconded by Scott G. Duhamel to uphold the violations as stated in the Complaint of the matter; and that this matter be referred to the Board's Legal Counsel for drafting of such Decision and Order to that effect. After discussion, Marcia B. Reback, Scott G. Duhamel, and Derek M. Silva voted in favor of the Motion. Walter J. Lanni, Aronda R. Kirby, and Kenneth B. Chiavarini opposed the Motion. Motion failed as a result of a tie vote of 3-3.

A Motion was made by Aronda R. Kirby for the Board to go into Closed Session for the purpose of reviewing the Closed Minutes, Unfair Labor Practice Charges, and Miscellaneous Matters pursuant to R.I. Gen. Laws §42-46-5(a) (2) (4) of the Open Meetings Law. Kenneth B. Chiavarini seconded the Motion and it was unanimously

VOTED: by all Board Members present to go into closed session and to seal the minutes.

The meeting and minutes were closed at 9:55 A.M.

The meeting resumed in open session at 10:00 A.M. for the purposes of reading into the minutes, the determinations made by the Board in Closed Session, as well as adjourning the Board meeting.

REVIEW OF CLOSED MINUTES:

1. Minutes of May 9, 2019

DETERMINATION: A Motion was made by Marcia B. Reback and seconded by Scott G. Duhamel to accept and seal the Closed Minutes as written, and it was voted by all Board Members present to accept the minutes as written. Motion passed.

UNFAIR LABOR PRACTICE CASES:

1. Case No. ULP-6240
Tiverton School Committee & NEA Tiverton NEARI/NEA

DETERMINATION: A Motion was made by Marcia B. Reback and seconded by Scott G. Duhamel to uphold the charge, issue a Complaint, and proceed to Formal Hearing. After discussion, all Board Members present voted in favor of the Motion. Motion passed.



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2. Case No. ULP-6242
RI Airport Corporation & RI Council 94, AFSCME, AFL-CIO
(Motion to Stay)

DETERMINATION: A Motion was made by Aronda R. Kirby and seconded by Kenneth B. Chiavarini to uphold the Motion to Stay, pending the party's arbitration outcome. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

3. Case No. ULP-6242
RI Airport Corporation & RI Council 94, AFSCME, AFL-CIO

DETERMINATION: A Motion was made by Walter J. Lanni and seconded by Marcia B. Reback to table the matter and place the matter into abeyance status. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

4. Case No. ULP-6243
RI Airport Corporation & RI Council 94, AFSCME, AFL-CIO

DETERMINATION: A Motion was made by Scott G. Duhamel and seconded by Marcia B. Reback to uphold the charge, issue a Complaint, and proceed to Formal Hearing. After discussion, all Walter J. Lanni, Marcia B. Reback, Scott G. Duhamel, and Derek M. Silva voted in favor of the Motion. Aronda R. Kirby and Kenneth B. Chiavarini opposed the Motion. Motion passed.

5. Case No. ULP-6244
Town of Johnston & RI Council 94, AFSCME, AFL-CIO

DETERMINATION: A Motion was made by Scott G. Duhamel and seconded by Marcia B. Reback to uphold the charge, issue a Complaint, and proceed to Formal Hearing. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

6. Case No. ULP-6245
Town of Johnston & RI Council 94, AFSCME, AFL-CIO

DETERMINATION: A Motion was made by Scott G. Duhamel and seconded by Derek M. Silva to uphold the charge, issue a Complaint, and proceed to Formal Hearing. After discussion, all Board Members present voted in favor of the Motion. Motion passed.



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7. Case No. ULP-6246
Town of Johnston & RI Council 94, AFSCME, AFL-CIO

DETERMINATION: A Motion was made by Scott G. Duhamel and seconded by Marcia B. Reback to uphold the charge, issue a Complaint, and proceed to Formal Hearing. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

8. Case No. ULP-6247 (Employer's Case)
RI Council 94, AFSCME, AFL-CIO & Town of Johnston

DETERMINATION: A Motion was made by Scott G. Duhamel and seconded by Derek M. Silva to uphold the charge, issue a Complaint, and proceed to Formal Hearing. After discussion, Walter J. Lanni, Scott G. Duhamel, Aronda R. Kirby, Kenneth B. Chiavarini, and Derek M. Silva voted in favor of the Motion. Marcia B. Reback opposed the Motion. Motion passed.

MISCELLANEOUS MATTERS:

1. Case No.(s) ULP- 6244/6245/6246/6247
Town of Johnston & RI Council 94, AFSCME, AFL-CIO
(Consolidation Request)

DETERMINATION: A Motion was made by Kenneth B. Chiavarini and seconded by Aronda R. Kirby to consolidate the above entitled matters for Formal Hearing purposes. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

2. Case No. ULP- 6198
Town of North Providence & Elizabeth lafrate
(Litigation Matter)

DETERMINATION: No determinations were made. Informational purposes only.

3. Closed Minutes: May 19, 2015; August 25, 2015; December 12, 2017; February 22, 2018;
March 20, 2018 (To be opened and posted)

DETERMINATION: A Motion was made by Marcia B. Reback and seconded by Kenneth B. Chiavarini to open and publish the closed minutes from the above-mentioned closed



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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Board Meetings. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

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A Motion to adjourn was made by Kenneth B. Chiavarini and seconded by Derek M. Silva and it was unanimously,

VOTED: to adjourn the meeting at 10:05 A.M.